

<b>Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371</b>		Attorney Docket No.: 27558U U.S. Application No.: <b>107590803</b>
International Application No.: <b>PCT/EP2005/050931</b>	International Filing Date: <b>MARCH 2, 2005</b>	Priority Date Claimed: <b>MARCH 3, 2004 DECEMBER 7, 2004</b>
Title of Invention: <b>NOVEL HYDROXY-6-HETEROARYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS</b>		
Applicants for DO/EO/US: KAUTZ, Ulrich		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li>20. <input checked="" type="checkbox"/> Other items or information:          TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/085225 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: SEPTEMBER 15, 2005, WHICH CONSISTS OF 172 PAGES: 2 PAGES FOR THE COVER SHEET, WITH ABSTRACT, 144 PAGES OF TEXTUAL SPECIFICATION, 26 PAGES OF 30 CLAIMS, AND 0 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C, TO BE EXAMINED</b>; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (REQUEST); POSTCARD FOR THE EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.       </li> </ol>		

IAP12 Rec'd PCT/PTO 25 AUG 2006

U.S. Application No.: <b>10/590803</b> Not Yet Assigned		International Application: <b>PCT/EP2005/050931</b>		Attorney Docket No.: 27558U	
The following fees are submitted:				<b>CALCULATION</b>	<b>PTO USE ONLY</b>
21. X Basic National Fee (37 CFR 1.492(a)).....				\$ 300.00	
22. X Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... All other situations .....				\$ 0.00 \$ 200.00	
23. X Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... All other situations .....				\$ 0.00 \$ 100.00 \$ 400.00 \$ 500.00	
<b>Total of 21, 22 and 23</b>				<b>\$ 900.00</b>	
_ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	# of each additional 50	RATE		
236-100 =	136 / 50 =	3	X \$250	\$ 750.00	
_ Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	# FILED	# EXTRA	RATE		
TOTAL	28-20=	8	X \$50	\$ 400.00	
INDEPENDENT	1-3=	0	X \$200		
Multiple dependent claims (if applicable)				+ \$360	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 2,050.00</b>	
_ Applicant claims small entity status. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$ 2,050.00</b>	
_ Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 2,050.00</b>	
_ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 2,050.00</b>	
				Amount to be: refunded	\$
				Amount to be: charged	\$

U.S. Application No.: Not Yet Assigned	<b>10/590803</b>	International Application: <b>PCT/EP2005/050931</b>	Attorney Docket No.: 27558U
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a. ☒ A check in the amount of **\$ 2,050.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
(A duplicate copy of this sheet is enclosed.)

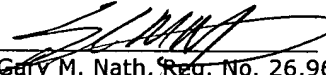
c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.**

Send All Correspondence To:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
112 South West Street  
Alexandria, VA 22314  
TEL: (703) 548-6284  
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Date: August 25, 2006 By:   
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ, Ulrich

Application No.: Not Yet Assigned

Filed: August 25, 2006

Intl. Application No.: PCT/EP2005/050931

Intl. Filing Date: March 2, 2005

Title: **NOVEL HYDROXY-6-HETEROARYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

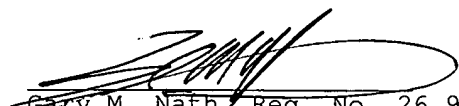
- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/085225 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: September 15, 2005, which consists of 172 pages:
  - 2 pages for the Cover Sheet, with Abstract,
  - 144 pages of Textual Specification,
  - 26 pages of 30 Claims, and
  - 0 sheets of Drawings;
- 4) **Preliminary Amendment with Appendices A, B, and C, to be Examined;**
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101 (Request);
- 11) Check No.: 2714 in the Amount of **\$ 2,050.00** for Basic Filing Fee, which includes the Search and Examination Fees (\$900), for 8 Claims over 20 Total Claims (\$400), and for the application size fee surcharge (\$750), as a **Large Entity**;
- 12) Postcard for Early Notification of the Serial Number Request.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: August 25, 2006

By:

  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375